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MASSACHUSETTS PAROLE BOARD

Brian A. Callery, Chairman

MASSACHUSETTS PAROLE OUTCOME:

THREE DESCRIPTIVE REPORTS

Prepared by

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I. INTRODUCTION

The primary role of the Massachusetts Parole Authority is to make decisions to release offenders from prison, to administer the supervision of offenders in the community and to make decisions to revoke and return offenders to prison in accordance with MGL, Chapter 27, section 4. In addition, the Parole Authority is the Advisory Board of Pardons for the Commonwealth of Massachusetts. In this role, the Parole Board makes recommendations to the Governor on matters of executive clemency, pardons and commutations of sentences.

Parole is the term used to define the release of a prisoner prior to the expiration of his/her maximum sentence which permits him/her to serve the balance of the sentence in the community under supervision and subject to certain rules and conditions of behavior. In making parole release decisions, the Massachusetts Parole Authority is governed by one statutory provision: "that there is a reasonable probability that if such a prisoner is released, he/she will live and remain at liberty without violating the law, and that his/her release is not incompatible with the welfare of society." (MGL, Chapter 127, section 130)

In Massachusetts, Parole community supervision is organized on a regional basis. There are seven (7) regional parole offices located throughout Massachusetts. Regions are divided into approximately fifty (50) districts. Each region is administered by a Supervising Parole Officer (SPO) and each district is the responsibility of an individual parole officer (PO). Each parole officer has a caseload which is comprised of offenders released to the districts for which he/she is responsible.

The Massachusetts Parole Authority requires that offenders adhere to general and special conditions of Parole. (See Appendix A for Massachusetts Conditions of Parole) Violation of any or all conditions of Parole constitute grounds for revocation. Preliminary and final revocation decisions are an important part of the quasi-judicial authority of Massachusetts Parole. The Massachusetts Parole Authority and Field Services has jurisdiction over all individuals serving sentences in excess of sixty (60) days committed to state and county correctional institutions.

The Massachusetts Parole Authority is guided in its release, revocation, pardon and commutations decisions by a set of published Guidelines for Decision Making, 1978. These guidelines specify the criteria used in determining release decisions, preliminary and final revocations and requirements for pardons and commutations.

In order to guide its administration of field services, Massachusetts Parole has recently developed a criteria for differential supervision and instruments to assess risk and needs of offenders as part of a planned statewide case management system.

The role, functions and structure of the Massachusetts Parole Authority and Field Services provide for a uniform, coordinated approach to the release, supervision and revocation of offenders, in addition to serving the Commonwealth in its role as the Advisory Board of Pardons. The Massachusetts model of Parole may be viewed as one which is designed to achieve the balance between the needs of the public for protection and safety and the needs of the offender.

II. SUMMARY

The following paper contains three (3) descriptive reports which provide information about persons on parole in Massachusetts. The first report, Successful Parole Outcome, which compares the outcome of Massachusetts parolees with those in other jurisdictions, indicates that Massachusetts parolees are more successful on parole. Next Parole Outcome: Comparison of Parolees and Mandatory Releasees looks at the differnces in outcome for persons released to parole (parolees) compared with persons released at the expiration of good time or a mandatory, fixed or presumptive sentence (mandatory releasees). Data available indicated that parolees were more successful on parole than mandatory releasees. The third report, The Violent Offender on Parole, is based on a survey of persons on parole in Massachusetts in 1981. It was found that a large proportion of those persons on parole for more than one (1) year had committed violent crimes. It was also found that the majority of this sample is located in the south and eastern areas of the state.

Information in the three descriptive reports was taken from data contained in Parole in the United States: 1979. San Francisco: National Council on Crime and Delinquency, 1980 and case records of Massachusetts parolees.

SUCCESSFUL PAROLE OUTCOME

The parole population in Massachusetts is more successful on parole than the national parole population.[1] The following table presents a comparison of success rates for Massachusetts parolees and parolees from fifty-four (54) other jurisdictions.[2]

Parole Outcome: Comparison of Massachusetts Parole Population and all other Parole Populations

Outcome	Massachusetts Parole Population	All Other Parole Populations
Revocation/Recommitment	15.7%	24.8%[3]
Discharge by Completion of Term	77.0%	59.2%
Early Discharge by Parole Board	7.0%	10.3%
Overall Successful Completion	84.0%	75.0%

FINDINGS

Massachusetts parolees have a considerably higher successful parole completion rate of (84%) versus the (75%) national success rate. It follows then that the revocation/recommitment rate is lower for Massachusetts parolees at 15.7% versus 24.8% for all other parole populations. It was found, however, that the Massachusetts Parole Board has a lower early discharge rate (7.0%)[4] when compared with that of other Parole Boards (10.3%).

IMPLICATIONS

The fact that Massachusetts parolees have a higher success rate than the national parole population may be attributed to one or more factors related to Massachusetts Parole decision-making and field supervision.

One factor which may account for successful outcome rates for Massachusetts parolees is the use of decision-making guidelines. The Massachusetts Parole Authority is guided by its Decision-Making Guidelines and Procedures for Parole Granting, Parole Revocation and Pardons in all decisions to release offenders from institutions. It may be that the criteria used for release decision-making provides for the selective release of inmates most likely to successfully complete parole.

Another factor which may contribute to a higher rate of successful outcome for Massachusetts parolees is the fact that the Massachusetts Parole Authority not ony makes decisions to release offenders to the community but also also has the responsibility for the administration of parole field services which provide for the supervision of the offender in the community. It may be that the closely coordinated and comprehensive efforts of the Parole Board in the area of release decision-making and administration of field services account for higher success rates.

At this time, there is a need for further research to investigate the reasons for the comparatively higher success rates of Massachusetts parolees. Future parole research will

focus on parole decision making and parole field supervision as factors which affect parole outcome.

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[1]Success on parole is defined as: 1) Discharge from parole by completion of required term on parole and 2) Early discharge or termination by the Parole Board for successful completion of term on parole.

[2]Jurisdictions include forty-nine (49) other states; Washington D.C.; Puerto Rico; Virgin Islands and all federal jurisdictions.

[3]Totals may not equal 100% due to rounding.

[4]In Massachusetts, early discharge is defined as termination by the Parole Board.

PAROLE OUTCOME: COMPARISON OF PAROLEES AND MANDATORY RELEASEES

The parole population in fifty-five (55) jurisdictions[1] is comprised of two(2) categories of releasees: 1) parolees and 2) mandatory releasees. Parolees are persons who enter community supervision by a discretionary act of a paroling authority, who must report to a supervising agent (parole officer) and who must observe other conditions until discharged. Mandatory releasees are persons released to community supervision as a result of good time or other statutory sentence reduction measures. Mandatory releasees include those persons released at the end of a fixed, mandatory or presumptive sentence.

A comparison of preliminary data on parole outcome for parolees and mandatory releasees indicate that parolees are more successful on parole than mandatory releasees. The following table compares outcomes by revocation/recommitment and absconding for parolees and mandatory releasees.

Parole Outcome: Comparison of Parolees and Mandatory Releasees

Outcome	Parolees	Mandatory Releasees
Revocation/Recommitment	24.8%	30.9%
Absconder Status[2]	9.8%	17.4%

FINDINGS

In 1979, parolees had a lower revocation/recommitment rate (24.8%) than mandatory releasees (30.9%). Also, parolees had a lower absconder rate (9.8%) when compared with mandatory releasees (17.4%). The absconding rate is more significant when time on parole is taken into account.

Parolees had a lower absconder rate even though their time "at risk" (time on parole) was twice as long as that of mandatory releasees.

The data indicated further that persons released to parole supervision at the end of a fixed, mandatory or presumptive sentence entered and left active supervision caseloads at twice the rate of parolees although they spent half as much time "at risk" (time on parole). While mandatory releasees represented (11.3%) of the active supervision caseload, they accounted for (20%) of the intake and removal cases.

IMPLICATIONS

Between 1978 and 1979, the number of mandatory releasees more than doubled. In 1979, they represented (11.3%) of the total parole population. The increase in the proportion of mandatory releasees in the general parole population is directly attributed to the passage of determinate sentencing legislation in several parole jurisdictions. Under determinate sentencing, with fixed, mandatory or presumptive sentence structures, persons are automatically released to parole supervision at the end of a specified period of incarceration without review or the selective decision of a paroling authority.

The mandatory release releasee population is considerably less successful on parole than the parole population. Uniform Parole Reports indicated that:

> "Highly unfavorable outcome rates for mandatory releasees are no doubt largely a function of nonselectivity. That is, they are considered by paroling authorities to present too high a risk(based on offense, prior record or institution behavior) and are therefore, not chosen for parole." (UPR, 8:1980)

In addition to nonselectivity, another factor which may be seen to

contribute to low success rates for mandatory releasees is the lack of pre-release planning. Mandatory release to parole supervision does not require a parole plan such as that which is usually required by parole authorities. Also, there are no requirements to demonstrate institutional adjustment or program involvement. The latter two are standard requirements under a discretionary parole release system. Some or all of these factors may account for lower success rates for mandatory releasees.

Future parole research needs to focus on comparisons of the characteristics of mandatory releasees and parolees in order to determine with more certainty the reasons for the lower success rate of mandatory releasees.

At this time, it is important to be cognizant of the impact of the mandatory release population on parole supervision agencies and implications for public safety. Cost factors associated with the mandatory release population and the issue of public safety are two areas of concern which are apparent now. Increased entries and removals from active caseloads and additional revocations are likely to increase costs to parole agencies that are responsible for parole revocations and supervision. Importantly, public safety is not well served by less successful outcomes for mandatory releasees who have higher revocation and recommitment rates than parolees.

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[1]Jurisdictions include fifty (50) states; Washington, D.C., Puerto Rico, Virgin Islands, and all federal jurisdictions.

[2]An absconder is a person whose whereabouts is unknown.

THE VIOLENT OFFENDER ON PAROLE

INTRODUCTION

The rate of violent crime[1] in the Northeast is higher than the national average.[2] State prison populations in the Northeast area are made up of a large proportion of persons convicted of violent crimes according to a recent Uniform Parole Reports publication (1980).

In Massachusetts for example, we know that (57%) of the 1979 releases were committed for crimes against persons.[3] In the same year, approximately (84%) of the persons released from state institutions were released to parole.[4] It was found that the violent offender represents a large proportion of the active client caseload of Massachusetts parole officers.

FINDINGS

A recent Massachusetts parole study reviewed the active client caseloads of forty-seven (47) parole officers in seven (7) regional offices and the Mass CAPP program.[5] It was found that there were (3,186) persons under active supervision as of February 28, 1981. Of that total, (1,730) or (54%) had been on parole for more than one (1) year.

Offense data were collected for the sample of parolees on active client caseloads for more than one (1) year. Data indicate that (1,287) or (74%) had committed crimes against persons or sex offenses.[6] The largest proportion of violent crimes reported was armed robbery which represented (44%) of the total offenses. Rape accounted for (11%), with manslaughter (10%) and unarmed robbery (9%). Armed assault accounted for (8%) and murder (8%). The following table presents this information.

Violent Crimes as Offenses of Persons on Parole for More Than One (1) Year: 1981

Type of Offense	Per Cent
Armed Robbery	(44%)
Rape	(11%)
Manslaughter	(10%)
Unarmed Robbery	(9%)
Armed Assault	(8%)
Murder	(8%)

In Massachusetts, the largest proportion of persons on parole having committed violent offenses was reported for the southeastern region (Brockton regional office) of Massachusetts. In the Brockton Region, (254) or (20%) of the sample was reported under supervision. The surburban area (Somerville regional office) had the next largest proportion with (243) or (19%) and the central area (Boston regional office) reported (219) or (17%). The following table presents this information.

The Violent Offender on Parole: Geographic Distribution.[7]

Geographic Location	Number	Per Cent
Brockton Area	254	(20%)
Somerville Area	243	(19%)
Boston Area	219	(17%)
Total:	716	(56%)

As the table indicates, the Brockton, Somerville and Boston regions accounted for (716) or (56%) of the parolees in the sample.

Findings from this recent study indicated that a large proportion (74%) of persons on parole in Massachusetts for more than one (1) year are violent offenders and that the majority (56%) were in the southern and eastern geographical areas of the state.

In an earlier study (Parole Outcome, April 1980), it was found that the general population in Massachusetts is more successful on parole than the parole populations in other jurisdictions in the United States. This information is reflected in the table which follows.

Parole Outcome: Comparison of Massachusetts Parole Population and all other Parole Populations

Outcome	Mass. Parole Population	All Other Parole Populations
Revocation/Recommitment	15.7%	24.8%
Discharge by Completion of term	77.0%	59.2%
Early Discharge by Parole Board	7.0%	10.3%
Overall Successful Completion	84.0%	75.0%

IMPLICATIONS

It appears that Massachusetts Parole Field Services has the ability to effectively supervise the parole population, a large proportion of whom are violent offenders. Revocation/recommitment rates of Massachusetts parolees (15.7%) compare favorable with the national parole population (24.8%).

There are several factors which may contribute to the effectiveness of Massachusetts parole supervision. One factor may be the structure of Parole

Field Services. In Massachusetts, Field Services are administered by the Parole Authority. This structure provides for close working relationships between the Parole Board, the Parole Management team and Field Services.

There are seven (7) regional offices located in different geographical areas. Parole officers are responsible for districts within each region. Parolees, upon release, are assigned to these districts. Many parole officers reside close to the region and district for which they are responsible. The regional structure of Field Services provides for close proximity to the client population under supervision. Parole officers who reside in the area are also aware of the resources available to parolees and may be able to more easily link up parolees with available resources.

Massachusetts parole officers are professionals with a great deal of experience in client supervision. Staff turnover among parole officers is minimal, although transfer within the system may often occur. Experienced staff, with limited staff turnover may be other factors which contribute to effective parole supervision. In addition, parole officers use a system of differential supervision in which clients are placed in categories of maximum, moderate, minimum and administrative categories of supervision. This system may be seen to contribute to more effective supervision whereby cases which require close supervision are categorized as maximum.

Factors such as close coordination between the Parole Board and Field Services, accessibility of parole officers on a regional basis, parole officers' knowledge of the area and community resources in the districts to which parolees return and a system of differential supervision may all, in varying degrees, contribute to the effectiveness of Massachusetts parole supervision.

Further parole research needs to focus on factors related to parole supervision in order to determine, with some amount of certainty, reasons to explain more successful outcome for Massachusetts parolees.

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[1]Personal sex crimes are: Murder, negligent manslaughter, forcible rape, aggravated assault and robbery.

[2]The Northeast includes New England and the Middle Atlantic states of New Jersey, New York and Pennsylvania.

[3]Person offenses in Massachusetts includes: Murder 1 and 2 manslaughter; armed robbery; unarmed robbery; armed assault.

[4]Williams, Lawrence T. A Statistical Description of Releases from the Massachusetts Correctional Institutions during 1979. Mass. Department of Corrections. 1980

[5]The Mass CAPP Program is a program for developmentally disabled parolees which is administered by the Massachusetts Parole Authority.

[6]Violent crimes included crimes against persons and sex offenses; murder, manslaughter, armed robbery, assault with intent armed assault, rape, assault with intent to rape.

[7]This table reflects the three geographich areas with the highest proportions of persons who have committed violent offenses and have been on parole for more than one (1) year.

IV. CONCLUSION

Based upon preliminary findings, it appears that Massachusetts parolees are more successful on parole than those in other jurisdictions.

At this time, Massachusetts Parole will undertake a research project which will investigate factors which affect parole outcome in order to determine with more certainty, reasons for successful outcome rates for Massachusetts parolees.

APPENDIX A

TRIPLICATE

No. .....

The Commonwealth of Massachusetts

PAROLE BOARD

CERTIFICATE OF PAROLE

KNOW ALL MEN BY THESE PRESENTS:

It having been made to appear to the Massachusetts Parole Board that ..... No. .....

a prisoner sentenced to the .....

is eligible to be paroled, and the matter having been given careful consideration, it is, therefore ordered by the said Parole Board that the said prisoner be released on parole and permitted to be at liberty during the unexpired portion of the sentence which expires on the ..... day of ..... 19 .....

BE IT ALSO KNOWN that this permit to be at liberty is granted upon condition that the said prisoner has agreed to observe and perform all of the rules and covenants shown on the reverse of this certificate, all of which are hereby made and agreed to be conditions precedent to said prisoner's release.

Dated at Boston, this ..... day of ..... 19 .....

By order of the PAROLE BOARD

By .....
Chairman

Massachusetts Parole Board.

The above named prisoner was released on this ..... day of ..... 19 ....., from the .....

.....
Superintendent

READ CAREFULLY THE FOLLOWING CONDITIONS UNDER WHICH THIS PAROLE IS GRANTED

These conditions of parole are designed to provide guidance for a parolee in his everyday conduct so as to facilitate his transition to the community and at the same time to safeguard legitimate community interests. They will be implemented with the flexibility appropriate to individual needs and circumstances and with due regard for basic human dignity. To insure these goals, it is expected that a parolee will be available at reasonable times for consultation with his parole officer.

PAROLE CONDITIONS

I. I will obey local, state, and federal laws; and conduct myself in the manner of a responsible citizen.

II. I will notify my parole officer in writing within 24 hours of any changes in my employment or residence. I will notify my parole officer before applying for a license to marry. I will inform my parole officer within 24 hours if arrested.

III. I will make earnest efforts to find and maintain legitimate employment, unless engaged in some other program approved by my parole officer.

IV. I will not engage in a continuous pattern of association with persons I know to have a criminal record, or who are known to be engaged in a violation of law. This prohibition does not apply where such association is INCIDENTAL to my place of residence or employment, or connected with activities of a bonafide political or social organization. However, the parole board retains authority to impose limits to these latter activities as a special condition of parole where such association is inconsistent with my approved parole plan.

V. I will not leave the state of Massachusetts for periods in excess of 24 hours without securing permission from my parole officer.

VI. Special conditions of my parole: (if warranted, may be imposed subsequent to my date of release.)

a) NONE (.....)

b) ..... (.....)

c) ..... (.....)

VII. d) I will not serve as an informant or special agent for any law enforcement Agency. (.....)

I Hereby Certify that I fully understand the above conditions under which I am being released and agree to faithfully observe the same.

.....
Signature of Parolee

Dated ..... 19 .....

Witness,

.....

.....
Official Title